

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM LEE,
ROBERT RAMSEY, and
TIMOTHY BOULDING,

Plaintiffs,

v

PATRICIA CARUSO, *et al.*,

Defendants.

Case No. 1:07-cv-139

Hon. Wendell A. Miles

ORDER ADOPTING REPORT AND RECOMMENDATION
TO DENY MOTIONS TO DISMISS CLAIMS OF PLAINTIFFS RAMSEY AND BOULDING

On June 13, 2008, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation (“R & R”) recommending that the defendants’ motions to dismiss the claims of plaintiffs Robert Ramsey and Timothy Boulding be denied. No party has filed objections to the R & R.

The court, having reviewed the R & R filed by the United States Magistrate Judge in this action in addition to the relevant portions of the record, agrees with the conclusion that the claims of plaintiffs Ramsey and Boulding are not subject to dismissal merely because they did not sign the court-supplied complaint form filed in this action.

Fed.R.Civ.P. 11(a) requires every pleading or other paper filed in a case to be signed personally by a party who is not represented by counsel. As the Magistrate Judge correctly observed, Misterys Ramsey and Boulding – who are unrepresented by counsel – each signed a handwritten statement identifying the factual bases for their claims. Pursuant to Fed.R.Civ.P. 10(c), these handwritten documents, which are attached to the complaint form, are considered a

part of the pleading for all purposes. Therefore, each plaintiff is deemed to have placed his signature on the pleading.

The court therefore adopts the Magistrate Judge's R & R as the decision of the court.

Motions denied.

So ordered this 22nd day of July, 2008.

/s/ Wendell A. Miles
Wendell A. Miles, Senior Judge